

Exhibit 28

MINUTES
Fairfax County School Board
Electronic Regular Meeting

Electronic Regular Meeting

October 22, 2020

All Board members and Division staff participated electronically via Blackboard Collaborate Ultra due to the COVID-19 emergency and the Governor of Virginia's amended Order of the Governor and State Health Commissioner Declaration of Public Health Emergency, Order of Public Health Emergency One issued March 20; Executive Order Number 53: Temporary Restrictions On Restaurants, Recreational, Entertainment, Gatherings, Non-Essential Retail Businesses, And Closure Of K-12 Schools Due To Novel Coronavirus (Covid-19) issued March 23; Order of the Governor and State Health Commissioner Order of Public Health Emergency Two, issued March 25. Members of the public attended virtually via Public Access Channel 99 and at FCPS.EDU/TV.

1. CLOSED MEETING

Ms. Derenak Kaufax moved, and Ms. Cohen seconded, that the Board go into closed meeting to: 1) consult with legal counsel for matters pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, and regarding specific legal matters requiring the provision of legal advice by such counsel, specifically a) personnel matters and student accommodations, b) Sabiani v. School Board, Case No. 2020-12938, c) special education matters, and d) regulatory matters, all pursuant to Sections 2.2-3711(A)(7) and (8) of the Code of Virginia; 2) discuss and consider disciplinary and other matters concerning one or more students pursuant to Section 2.2-3711(A)(2) of the Code of Virginia and 3) dispense with the attendance of the Superintendent or his designee pursuant to Va. Code Section 22.1-69, during a portion or all of the meeting. The motion passed 11-0-0: Ms. Omeish, Ms. Pekarsky, Ms. Keys-Gamarra, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. McLaughlin, Ms. Cohen, Mr. Frisch, and Dr. Anderson voted "aye"; Ms. Meren was absent.

The Board met in closed session from 4:01 p.m. to 6:49 p.m.

2. REGULAR MEETING

2.01 Call to Order/Pledge of Allegiance/Moment of Silence

Chair Anderson called the meeting to order at 7:00 p.m. with the following Board members present:

2.02 Roll Call

Karen Corbett Sanders (Mt. Vernon)
Tamara Derenak Kaufax (Lee; arr.)
Ricardy Anderson (Mason)
Laura Jane Cohen (Springfield)

Megan O. McLaughlin (Braddock)
Melanie Meren (Hunter Mill; absent)
Abrar Omeish (At Large)
Stella Pekarsky (Sully)

Defendant's Exhibit

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Karl Frisch (Providence)
Karen Keys-Gamarra (At Large)

Rachna Sizemore Heizer (At Large)
Elaine Tholen (Dranesville)

Also present were Division Superintendent Scott Brabrand; Deputy Superintendent Frances Ivey; Clerk of the Board Ilene Muhlberg; Deputy Clerk of the Board Beverly Madeja; Chief Operating Officer Marty Smith; Assistant Superintendent, Assistant Superintendent, Facilities and Transportation, Jeff Platenberg; and certain other members of staff. The Student Representative to the School Board Nathan Onibudo was present.

Student Representative to the School Board Nathan Onibudo led the Pledge of Allegiance and the moment of silence.

2.03 Certification of Closed Meeting Compliance (Exhibit A)

Ms. Omeish moved, and Mr. Frisch seconded, that in order to comply with Section 2.2-3712 (D) of the Code of Virginia, it is necessary for the Board to certify that since the Fairfax County School Board convened a closed meeting on October 22, 2020, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Board during the closed meeting. The motion **passed 11-0-0**: Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; Ms. Meren was absent.

2.04 Announcements (Exhibit B)

Ms. Cohen announced that the next Regular School Board meeting on November 5, 2020 will be held at Luther Jackson Middle School as a hybrid meeting with some members attending in person and some attending virtually.

Mr. Onibudo. announced that National Red Ribbon Week was October 23-31, 2020 and that November 2020 was Native American Heritage Month.

2.05 Recognition of National Career Development Month (Exhibit C)

Ms. Cohen recognized November 2020 as National Career Development Month.

3. PRESENTATIONS TO THE SCHOOL BOARD

3.01 Citizen Participation (Exhibit D)

Fifteen citizens addressed the Board in the time reserved for citizen participation. Harry Jackson, Teddy Geis, Andrew Hayes, James Pan, George Wang, Helen Miller, Sowjayna Rajavaram, Akshay Deverakonda, Xi Su, Norma Margulies,

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Vinson Palathingal, Stacy Zhu, Ming Feng Chin, and Vern Williams addressed Agenda Item 4.02 - Addressing the systemic issues that impact TJ admissions diversity. Anu Saraf addressed the Board on Agenda Item 5.09 - Policy 1501 Public Access to Information.

3.02 Student Representative Matters (Exhibit E)

Student Representative Nathan Onibudo made brief comments.

3.03 School Accountability and Project Momentum – State and National Exemplar School Awards (Exhibit F)

Dr. Brabrand introduced Mark Greenfelder, Assistant Superintendent, School Improvements and Supports, who presented the report on state accountability, changes to the Office of School Improvement and Supports, and Project Momentum.

The Board discussed the difference between students receiving an advanced, standard, and applied diploma. The Board requested further delineation of the data for students with disabilities and the breakdown of diploma types. The Board also discussed the SY 20-21 graduation rate and requirements in light of the pandemic; the need to track any gaps in learning for all students and staff noted the on-going district-wide assessment of learning loss comparing the current year's data to last years. The Board stressed the need to continue offering advanced academic programming to all students. The Board stated the need to have a work session on these issues and Project Momentum.

Dr. Ivey announced the award winners of the State and National Exemplar Schools. The state winning schools for highest achievement were Forestville ES, Kings Park ES, Jefferson HS, and Wolftrap ES. The winner of the Continued Improvement: GCI Dropout was Falls Church HS. The winner of the Continued Improvement: Student Groups was Annandale Terrace ES. There were 45 schools within the district that won the Continuous Improvement: The US Department of Education chose 2 FCPS schools for the National Blue-Ribbon Schools program: Fairhill ES won Exemplary Achievement Gap Closing School. The Exemplary High Performing School was Popular Tree ES.

4. ACTION ITEMS

4.01 Confirmation of Action Taken in Closed Meeting (Exhibit G)

Mrs. Corbett Sanders moved, and Ms. Keys-Gamarra seconded, to authorize Division Counsel to utilize all means possible to recover the costs associated with the provision of services to a child with special needs, whose parents reside outside the jurisdiction. The motion **passed 11-0-0**: Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; Ms. Meren was absent.

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Ms. Tholen moved, and Ms. Omeish seconded, to grant in part the school reassignment appeal of a student who possessed a firearm during the virtual instructional program in which other students were participating and to modify the disciplinary decision of the Division Superintendent. The motion **passed 11-0-0**: Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; Ms. Meren was absent.

4.02 Addressing the Systemic Issues that Impact TJ Admissions Diversity (Exhibit H)

Ms. Derenak Kaufax moved, and Ms. Tholen seconded, to direct the Superintendent to establish a plan for student talent development and put into action means for student potential identification and outreach. This motion is intended to address the systemic issues that impact diversity at TJ. It is not intended to and shall not impact the immediate need to change the admissions process we are currently addressing. This plan may include but not be limited to:

- Strengthening the equity of access to advanced academic curriculum and strategies for all students regardless of AAP level of service. This will require professional development for all classroom teachers on advanced programs pedagogy;
- Establishing a plan to have a full time Advanced Academic resource teacher in all remaining ES and a .5 in each middle school.
- Increasing administrator and teacher awareness of our Young Scholars program in FCPS and strive to ensure it is administered uniformly and with fidelity with the goal of expanding it to all schools.
- Developing a communications plan to help parents understand how their children can benefit from participation in AAP, and invest in family engagement to facilitate participation of historically underrepresented students in advanced academic program
- Providing an analysis of math and science curriculum offering in all elementary and middle schools;
- Providing an analysis of extracurricular STEM opportunities in all elementary and middle schools

We would ask for regular reporting from the Superintendent on these items as part of the Strategic Plan Goal reports.

The Board discussed that the motion is supported by the Minority Student Achievement Oversight Committee. The Board discussed the need to develop a long-term strategy for closing the opportunity gaps and increasing the equity of access and fidelity of implementation. The Board discussed the desire to improve science and math education while providing STEM experiences for all students. The Board requested data on the Young Scholars programs and the student outcomes for those schools that have the Young Scholars Program.

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The motion to direct the Superintendent to establish a plan for student talent development and put into action means for student potential identification and outreach. This motion is intended to address the systemic issues that impact diversity at TJ. It is not intended to and shall not impact the immediate need to change the admissions process we are currently addressing. This plan may include but not be limited to: Strengthening the equity of access to advanced academic curriculum and strategies for all students regardless of AAP level of service. This will require professional development for all classroom teachers on advanced programs pedagogy; Establishing a plan to have a full time Advanced Academic resource teachers in all remaining ES and a .5 in each middle schools Increasing administrator and teacher awareness of our Young Scholars program in FCPS and strive to ensure it is administered uniformly and with fidelity with the goal of expanding it to all schools. Developing a communications plan to help parents understand how their children can benefit from participation in AAP, and invest in family engagement to facilitate participation of historically underrepresented students in advanced academic program Providing an analysis of math and science curriculum offering in all elementary and middle schools; Providing an analysis of extracurricular STEM opportunities in all elementary and middle schools. We would ask for regular reporting from the Superintendent on these items as part of the Strategic Plan Goal reports; **passed 11-0-0:** Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; and Ms. Meren was absent.

4.03 FY 2021 Revised Budget (Exhibit I)

The Chair called on Superintendent Brabrand, who introduced Leigh Burden, Assistant Superintendent, Financial Services. Ms. Burden presented FY 2021 Revised Budget.

Ms. Derenak Kaufax moved, and Ms. Tholen seconded, that the School Board approve appropriation authority totaling \$32.2 million as reflected in the agenda item.

The Board noted that Virginia recently granted a new allocation of federal Coronavirus Aid, Recovery, and Economic Security (CARES) Act under the Coronavirus Relief Fund to help K-12 public schools in Virginia. FCPS' allocation includes the City of Fairfax and totals \$32.2 million. The Board discussed that funding can be used for eligible expenses from March 1 through December 30, 2020 but that the Board needed to grant allocation authority before funds may be spent.

The motion that the School Board approve appropriation authority totaling \$32.2 million as reflected in the agenda item **passed 11-0-0:** Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms.

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Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; and Ms. Meren was absent.

4.04 Teacher Laptop Replacement and FCPSOn Expansion (Exhibit J)

The Chair called on Superintendent Brabrand to introduce Leigh Burden, Assistant Superintendent, Financial Services. Ms. Burden presented the plan to receive 41,900 computers from Dell to replace teacher computers and extend FCPSOn to 3rd, 4th, and 5th grade students.

Ms. Derenak Kaufax moved, and Ms. Pekarsky seconded, that the School Board approve the purchase of teacher replacement laptops and expansion of FCPSOn with student laptop purchases for grades 3, 4, and remaining 5th up to the dollar amounts noted in the agenda item.

The Board noted that the devices will go to instruction assistants and replace older computers for kindergarten through second graders and that all fees have been waived this year for FCPSOn. The Board encouraged the accelerated evaluation of more age appropriate devices for younger students.

Ms. Cohen moved to call the question. The motion **passed**: Ms. Cohen, Ms. Pekarsky, Mr. Frisch, Ms. Sizemore Heizer, Dr. Anderson, Ms. Omeish, Mrs. Corbett Sanders, and Ms. Keys-Gamarra voted "aye".

The motion that the School Board approve the purchase of teacher replacement laptops and expansion of FCPSOn with student laptop purchases for grades 3, 4, and remaining 5th up to the dollar amounts noted in the agenda item **passed 11-0-0**: Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; and Ms. Meren was absent.

4.05 Return to School Timeline (Exhibit K)

Mrs. Corbett Sanders moved, and Ms. Pekarsky seconded, that the Superintendent consider bringing group 7 (ES 3-6, Secondary Public Day Programs-Spec. Ed; Burke MS, Cedar Lane, Quander Road, and students with targeted learner profiles at the Davis & Pulley Center) and group 8 (Middle and High School Students in Grades 6-12 and remaining students at the Davis & Pulley Career Centers) back earlier than the Superintendent's proposed schedule presented to the Board on October 15. The Superintendent will provide a recommendation to the Board on November 12 to see if there is a way to bring back 3-6th graders earlier than January 4th, (including 6th graders from the Mason district), and bringing High School students back earlier than February 1.

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The Board addressed the desire to have groups 7 and 8 back to in-person learning before the October 15, 2020 timeline while maintaining proper precautions. The Board noted concerns about social and emotional health of students, in virtual learning. Staff stated that a second survey is going to families and staff regarding survey choices and any adjustments. The Board stated that opinions on returning to school remain divided. Logistics for Middle and High School in-person learning are more difficult than elementary schools. The Superintendent would provide the Board with a list of other divisions studied in developing the return to school plans.

Ms. Cohen moved to call the question. The motion **passed**: Ms. Omeish, Mr. Frisch, Ms. Cohen, Ms. Sizemore Heizer, Ms. Pekarsky, Ms. Derenak Kaufax, Ms. Tholen, Ms. McLaughlin and Dr. Anderson voted "aye".

The motion that the Superintendent consider bringing group 7 (ES 3-6, Secondary Public Day Programs-Spec. Ed; Burke MS, Cedar Lane, Quander Road, and students with targeted learner profiles at the Davis & Pulley Center) and group 8 (Middle and High School Students in Grades 6-12 and remaining students at the Davis & Pulley Career Centers) back earlier than the Superintendent's proposed schedule presented to the Board on October 15. The Superintendent will provide a recommendation to the Board on November 12 to see if there is a way to bring back 3-6th graders earlier than January 4th, (including 6th graders from the Mason district), and bringing High School students back earlier than February 1, **passed 7-3-1**: Ms. Pekarsky, Ms. Sizemore Heizer, Mrs. Corbett Sanders, Ms. Keys-Gamarra, Ms. McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye"; Ms. Derenak Kaufax, Ms. Cohen, and Mr. Frisch voted "no," Ms. Tholen abstained from the vote, and Ms. Meren was absent.

Ms. Derenak Kaufax moved, and Ms. McLaughlin seconded, to direct the Superintendent to develop a clearly defined metric related to COVID positivity rates in the community. This metric will help dictate when schools will open or close. The metric needs to be easily understood and published regularly.

The Board stressed the need of a clearer, simpler set of metrics to guide school opening and closing based on Health Department guidelines. The Board noted that this set of metrics should help to mitigate some concerns in the community regarding return to school.

Mr. Frisch moved to call the question. The motion **passed**: Ms. Tholen, Ms. Cohen, Mr. Frisch, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Omeish, Ms. Keys-Gamarra, Ms. Pekarsky, Ms. McLaughlin and Dr. Anderson voted "aye."

The motion to direct the Superintendent to develop a clearly defined metric related to COVID positivity rates in the community. This metric will help dictate when schools will open or close. The metric needs to be easily understood and published regularly **passed 10-1-0**: Ms. Pekarsky, Ms. Tholen, Mr. Frisch, Ms. Derenak Kaufax, Ms. Cohen, Mrs. Corbett Sanders, Ms. Keys-Gamarra, Ms.

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McLaughlin, Ms. Omeish, and Dr. Anderson voted "aye;" Ms. Sizemore Heizer voted "no;" and Ms. Meren was absent.

5. CONSENT AGENDA

- 5.01 Award of Contract – Poe Middle School Roof Replacement Project-** award a contract for the Poe Middle School Roof Replacement Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit L)
- 5.02 Award of Contract – Olde Creek Elementary School Roof Replacement Project** - award a contract for the Olde Creek Elementary School Roof Replacement Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit M)
- 5.03 Award of Contract – Chantilly High School Roof Replacement Project** - award a contract for the Chantilly High School Roof Replacement Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit N)
- 5.04 Award of Contract – Rooftop Unit Replacements at Marshall Road Elementary School** - award the contract for the Rooftop Unit Replacements at Marshall Road Elementary School to the lowest responsive and responsible bidder and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute and administer the contract on behalf of the School Board. (Exhibit O)
- 5.05 Award of Contract – Graham Road Community Building Synthetic Turf Field Replacement Project** - award a contract for the Graham Road Community Building Synthetic Turf Field Replacement Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit P)
- 5.06 Award of Contract – Hybla Valley Elementary School Renovation Project** - award a contract for the Hybla Valley Elementary School Renovation Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit Q)

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- 5.07 Quarterly Appointments and Separations Report** - confirm the appointments and separations for the period beginning July 1, 2020 and ending September 30, 2020. (Exhibit R)
- 5.08 Monthly Report on Employee Separation** - confirm the separations for the period beginning September 1, 2020 and ending September 30, 2020. (Exhibit S)
- 5.09 Policy 1501 Public Access to Information [SB; Action 10/22/20]**- Approve the recommended changes to Policy as detailed in the agenda item. (Exhibit T)
- 5.10 Policy 2701 Student Personal Data [SB; Action 10/22/20]**- Approve the recommended changes to Policy as detailed in the agenda item. (Exhibit U)
- 5.11 Policy 2150 Prevention of alcohol and Other Illegal Drug Use by Students [SB; Action 10/22/20]**- Approve the recommended changes to Policy as detailed in the agenda item.] (Exhibit V)
- 5.12 Additional Appointments** - Appoint individuals to serve on committees, as detailed in the agenda item. (Exhibit W)

Chair Anderson stated that, without objection, the twelve items on the consent agenda would be adopted. Hearing no objections, the consent agenda was adopted.

6. **NEW BUSINESS**

- 6.01 Award of Contract – Glen Forest Elementary School Roof Replacement Project [FTS; Action 11/5/20]** - award a contract for the Glen Forest Elementary School Roof Replacement Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit X)

There was no discussion on this item.

- 6.02 Award of Contract – Rose Hill Elementary School Roof Replacement Project [FTS; Action 11/5/20]** - award a contract for the Rose Hill Elementary School Roof Replacement Project to the lowest responsive and responsible bidder, and authorize the Division Superintendent, or the Assistant Superintendent of Facilities and Transportation Services, to execute, deliver, and administer the contract on behalf of the School Board. (Exhibit Y)

There was no discussion on this item.

- 6.03 Superintendent Recommendation for Mosby Woods Elementary School Renaming** (Exhibit Z)

There was no discussion on this item.

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7. SUPERINTENDENT MATTERS

The Superintendent made brief comments and recommended possible choices for the renaming of Mosby Woods Elementary School:

- Katherine Johnson
- Five Oaks
- Mary McBride
- Barbara Rose Johns
- Mosaic

8. BOARD COMMITTEE REPORTS (Exhibit AA)

October 13, 2020 - Governance Committee

Karl Frisch, Chair

October 14, 2020 - Audit Committee

Karen Keys-Gamarra, Chair

October 20 - Forum

Stella Pekarsky - Vice Chair

October - Joint Environmental Task Force

Mr. Frisch and Ms. Tholen presented the JET final report including recommendations that the Fairfax County Board of Supervisors approved earlier in October 2020.

Mr. Frisch moved, and Ms. Tholen seconded, that the Board direct the Superintendent to bring to the Board during a late spring work session a report on how these goals might be implemented, including monetary investments needed for budget year 2020-21 and beyond. The motion **passed 11-0-0**: Dr. Anderson, Ms. Pekarsky, Ms. Sizemore Heizer, Ms. Tholen, Ms. Derenak Kaufax, Mrs. Corbett Sanders, Ms. Cohen, Ms. Keys-Gamarra, Mr. Frisch, Ms. McLaughlin and Ms. Omeish voted "aye"; and Ms. Meren was absent.

9. BOARD MATTERS

Due to the late hour, this item was canceled.

10. ADJOURNMENT

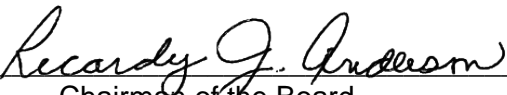
The meeting was adjourned at 12:03 a.m., October 23, 2020.

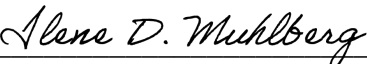
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Chairman of the Board


Clerk of the Board
Approved: December 3, 2020